

## Background Checks

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### Frequently Asked Questions

*Recently Eileen Cackowski, Executive Director for the Kentucky Commission on Community Volunteerism and Service, was asked the following questions about background checks for volunteers. The following are her response to these questions (in blue) and some links to additional resources. Thanks to CKAVA member Joan Wilcoxon for her great questions!*

Q. Who do I contact for information on conducting background checks on our volunteers?

A. Most organizations go through the Kentucky Administrative Office of the Courts. <http://courts.ky.gov/aoc/courtservices/recordsandstatistics/records.htm>

Q. What agencies conduct background checks?

A. Schools, nursing homes, **any organization serving a vulnerable population.**

Q. Do you recommend any private companies?

A. I cannot recommend an organization, but you can call Big Brothers Big Sisters, volunteer firefighters or Boy Scouts and ask them who they use.

Q. What checks go beyond the state level?

A. You generally pay a bit more for many states than for one state. It depends on the FBI (see below) or the private company used.

Q. What is the cost of background checks?

A. It depends on the check you ask for. More than one state will usually cost more. See attached web link for Kentucky for cost.

Q. How long do results take?

A. Some Kentucky results are a day or two and the FBI can be up to 16 weeks.

Q. How much information is needed from the individual volunteer?

A. See the links listed below. The individual must know you are doing the check and agree to it. I have seen agreements signed and when the information returns, the individual has 27 crimes against them. They don't believe the organization was really going to go through with the check.

Q. What are the legal consequences of conducting background checks vs. not conducting them? How effective are background checks?

A. Herein lays the challenge! This answer points to the legal consequences and effectiveness. I have done a lot of work in criminal background checks. To be honest, most opportunistic molesters will not show up when you do the check. Most molesters will move fairly frequently. If they sense the victim is changing or that they are being watched, they merely move to another state and set up shop.

So why do a background check? If a molester is identified in your organization, and the family decides to sue you for the harm done to their family member, for example, you can lose everything. The smaller the organization, the faster the doors close because there is no large corporate organization that is well endowed. A judge or lawyer is going to look at your process and determine whether or not you have reasonably done everything you could to make sure opportunistic molesters have

been identified. Think about a front page story in your local newspaper. **"Molester harms children and organization did not even do a background check."** Sensationalism pays.

Or the headline could read, **"Molester found in XYZ agency: Agency did everything possible to identify possible molesters, but one slipped by."** The story would go on to tell about your policies and procedures covering this as well as checks you did. We all know there is no way to catch every person, but we can build some effective roadblocks. Another tool is the interview. You may want to go over your interview questions for new volunteers. There is a lot you can learn with the right questions.

There was an incident here in Frankfort a couple of years ago where a drunken employee in a day care center arrived in that state early in the morning. A staff member realized what was happening and quickly pulled the employee in an office. The director fired her immediately. In the newspaper that afternoon, it was noted that the staff person arrived drunk, never got as far as a classroom and police were called. All parents received a letter that day explaining what happened and explaining how the policies in place covered the situation. The children were never affected. That was the end of the story.

The Non-Profit Risk Management Center has **really effective** books on this (This book can be checked out of the [KCCVS Lending Library](#)). They have a variety of forms and interview templates that are not very expensive. They have been involved in this kind of risk management for more than 20 years. And they are good. I worked with them a lot before moving to Kentucky. This is the site for their catalog, <http://nonprofitrisk.org/store/catalog.shtml#volunteers>.

#### **Additional Information:**

Law regarding background checks particularly for school settings:  
<http://www.lrc.ky.gov/KRS/160-00/151.PDF>

Offenders search. <http://www.cor.state.ky.us/>  
Criminal records: \$10; Administrative Office of the Courts; 800-928-6381

Example of volunteer application with background check information:  
<http://www.seniorservicesnky.org/Vol.%20app.pdf>

Obtaining an FBI Background Check:  
[http://www.krec.us/krec.gov/download.asp?file=crim\\_check\\_info.pdf](http://www.krec.us/krec.gov/download.asp?file=crim_check_info.pdf)